

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MALLET et al

Atty. Ref.: 3665-122; Confirmation No. 3751

Appl. No. 10/511,343

TC/A.U. 1633

Filed: October 15, 2004

Examiner: Sajjadi

For: OPTIMIZATION OF TRANSGENE EXPRESSION IN MAMMALIAN CELLS

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April 21, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

Responsive to the Official Action dated March 22, 2006, the applicants elect the following:

with regard to claim 50, a plasmid;

with regard to claim 51, a replication-defective lentivirus;

with regard to claim 52, a neurotrophic factor;

with regard to claim 56, retinal degenerative diseases; and

with regard to claim 61, a human cell.

All of the pending claims are believed to read on the elected subject matter.

Withdrawal of the species election requirement is requested as search and examination of all of the claimed subject matter would not place an undue burden on the Examiner and the Examiner is not believed to have demonstrated that the claimed

subject matter does not share a special technical feature. Reconsideration and withdrawal of the election of species requirement are requested. The election of species is made with traverse.

An early and favorable Action on the merits of all of the claimed subject matter is requested.

Respectfully submitted,

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